

United States Bankruptcy Court
Southern District of Texas

ENTERED

April 13, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ORDER
(Docket No. 787)

The Court has reviewed Gem Mining’s Emergency Motion to Compel Assumption or Rejection of Executory Contracts or, in the alternative, for Adequate Protection. Despite seeking emergency relief, no emergency exists. Ordinarily, the Court would simply deny the motion based on the lack of an emergency. In the instant case, however, the allegations made by Gem against the Debtors are troubling. If true, the Court may fashion its own remedial relief against the Debtors. If false, the Court may fashion its own remedial relief against Gem. Accordingly, it is

ORDERED THAT:

1. If the payment due April 21, 2023, is timely made, the Debtors shall continue to provide uninterrupted service to Gem under the relevant agreements pending further order.
2. The Court shall conduct a hearing on May 22, 2023, at 10:30 a.m. (Central Time) to consider Gem's motion to compel assumption or rejection.
3. At the hearing, the parties shall present at a minimum (i) all written communications concerning the events set forth in Gem's motion; (ii) witness testimony concerning the alleged conversations that form the basis of Gem's allegations.

SIGNED: April 13, 2023.


DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE